

**MEMORANDUM ENDORSED**

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September 26, 2019

VIA ECF

The Honorable Gregory H. Woods, U.S.D.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Tatum Rios v. Pier A Battery Park Assoc., 1:19-cv-08259 (GHW)

Dear Judge Woods:

We represent the Plaintiff in the above-referenced website accessibility case under Title III of the Americans with Disabilities Act and analogous state and city laws. We write now to respectfully request a 30-day adjournment of the Initial Pretrial Conference, currently scheduled for December 18, 2019 at 4:00pm (Dkt. 6.) Defendant was served in this matter via the Secretary of State on November 26, 2019 and, as such, its answer is not due until December 17, 2019. (Dkt. 7.) To date, no attorney has appeared on Defendant's behalf, and we are mindful that it often takes an additional week or more for Defendant's to actually receive the Complaint from the Secretary of State. If granted, the additional time will provide Defendant's with an opportunity to appear, saving Plaintiff and the Court from potentially needless default motion practice. Further, if Defendant does not appear by December 17, 2019, Plaintiff would like an opportunity to attempt to reach them via email and/or USPS to make them aware of the filing, service and their need to respond.

This is the first request for an adjournment of the Initial Pretrial Conference. If granted, the adjournment will not affect other deadlines in the case, inasmuch as there is no Case Management Order. Because Defendant has not yet appeared, Defendant has not consented to this request.

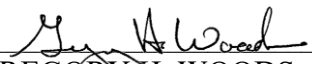
We thank the Court for its time and attention to this matter.

Application granted. The Court notes that although this letter is dated September 26, 2019, it was submitted on the docket on December 9, 2019. The initial conference scheduled for December 18, 2019 is adjourned to January 2, 2020 at 12:30 p.m. The joint letter and proposed case management plan described in the Court's September 16, 2019 order, Dkt No. 6, is due no later than December 26, 2019.

The Clerk of Court is directed to terminate the motion pending at Dkt No. 8.

SO ORDERED.

Dated: December 10, 2019  
New York, New York

  
GREGORY H. WOODS  
United States District Judge